

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SAMUEL CARRILLO-GUERRERO,

Defendant.

4:12CR3136

MEMORANDUM AND ORDER

After affording the defendant an opportunity for a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f), the court concludes the defendant must be detained pending trial.

Based on the information of record,, the court finds by clear and convincing evidence that defendant's release would pose a serious risk of defendant's nonappearance at court proceedings, and no condition or combination of conditions of release will sufficiently ameliorate that risk.

Specifically, the court finds:

The defendant's record indicates a propensity to violate lawful orders.

The defendant is not a United States citizen, is subject to an ICE detainer, and faces deportation. His ties to Nebraska, if any, are unknown.

The defendant waived the right to a detention hearing.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

December 21, 2012.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge